

Party or any other totalitarian organization shall be ineligible for naturalization, unless the applicant's membership meets the exceptions in sections 313 and 335 of the Act and § 313.4 of this chapter.

**§ 316.12 Applicant's legal incompetency during statutory period.**

(a) *General.* An applicant who is legally competent at the time of the examination on the naturalization application and of the administration of the oath of allegiance may be admitted to citizenship, provided that the applicant fully understands the purpose and responsibilities of the naturalization procedures.

(b) *Legal incompetence.* Naturalization is not precluded if, during part of the statutory period, the applicant was legally incompetent or confined to a mental institution.

(1) There is a presumption that the applicant's good moral character, attachment, and favorable disposition which existed prior to the period of legal incompetency continued through that period. The Service may, however, consider an applicant's actions during a period of legal incompetence, as evidence tending to rebut this presumption.

(2) If the applicant has been declared legally incompetent, the applicant has the burden of establishing that legal competency has been restored. The applicant shall submit legal and medical evidence to determine and establish the claim of legal competency.

(3) The applicant shall bear the burden of establishing that any crimes committed, regardless of whether the applicant was convicted, occurred while the applicant was declared legally incompetent.

**§ 316.13 [Reserved]**

**§ 316.14 Adjudication—examination, grant, denial.**

(a) *Examination.* The examination on an application for naturalization shall be conducted in accordance with Section 335 of the Act.

(b) *Determination—(1) Grant or denial.* Subject to supervisory review, the employee of the Service who conducts the examination under paragraph (a) of

this section shall determine whether to grant or deny the application, and shall provide reasons for the determination, as required under section 335(d) of the Act.

(2) *Appeal.* An applicant whose application for naturalization has been denied may request a hearing, which shall be carried out in accordance with section 336 of the Act.

**§§ 316.15–316.19 [Reserved]**

**§ 316.20 American institutions of research, public international organizations, and designations under the International Immunities Act.**

(a) *American institutions of research.* The following-listed organizations have been determined to be American Institutions of research recognized by the Attorney General:

African Medical and Research Foundation (AMREF-USA).  
 Albert Einstein College of Medicine of Yeshiva University (only in relationship to its research programs).  
 American Friends of the Middle East, Inc.  
 American Institutes of Research in the Behavioral Sciences (only in relationship to research projects abroad).  
 American Universities Field Staff, Inc.  
 American University, The, Cairo, Egypt.  
 American University of Beirut (Near East College Associations).  
 Arctic Institute of North America, Inc.  
 Armour Research Foundation of Illinois Institute of Technology.  
 Asia Foundation, The (formerly Committee for a Free Asia, Inc.).  
 Association of Universities for Research in Astronomy (AURA, Inc.), Tucson, AZ.  
 Atomic Bomb Casualty Commission.  
 Beirut University College.  
 Bermuda Biological Station for Research, Inc.  
 Bernice P. Bishop Museum of Polynesian Antiquities, Ethnology and Natural History at Honolulu, HI.  
 Brookhaven National Laboratory, Associated Universities, Inc.  
 Brown University (Department of Engineering), Providence, RI.  
 Buffalo Eye Bank and Research Society, Inc.  
 Burma Office of Robert N. Nathan Associates, Inc.  
 California State University at Long Beach, Department of Geological Sciences.  
 Carleton College (Department of Sociology and Anthropology), Northfield, MN.  
 Center of Alcohol Studies, Laboratory of Applied Biodynamics of Yale University.  
 Central Registry of Jewish Losses in Egypt.